

UNITED STATES MAGISTRATE
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION
RECORD OF PROCEEDINGS IN CRIMINAL CASES

22-CR-138

CR 72-393

BEFORE RALPH W. HARTZ

537 2nd Nat'l Bldg, Akron, Ohio

M-72-A

(Name of magistrate)

(Address)

MAGISTRATE'S
DOCKET NO. CASE No. 17
THE UNITED STATES
vs.

JAMES DAVID SCULLEN

Complaint filed on 4/6/72, 19, by EW Reda
Official title US Postal Inspector charging violation of
United States Code, Title 18, Section 1708, on 4/5/72
19, at Akron, Ohio, in the Eastern
division of the Northern district of Ohio
as follows: JAMES DAVID SCULLEN, did unlawfully have in
his possession US Treasury Check, symbol 2071, dated
3/30/72, which had been stolen from a letter mailed
by Dept. of Treasury, Chicago, Ill. Knowing same to
have been stolen

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date 4/6/72 Warrant/Summons for JAMES DAVID SCULLEN

to (name and title of officer) Any US Marshal or any other authorized officer (Name of defendant)
Substance of return Received 4/6/72 at Akron, Ohio and executed by arrest of
James David Scullen at Boston Heights, Ohio on 4/7/72.

Date Warrant/Summons for

(Name of defendant)

to (name and title of officer)
Substance of return

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date April 7, 1972 Arrested by E. W. Reda
Postal Inspector

on warrant of Ralph W. Hartz
US Magistrate (Name of issuing officer)
without warrant.

Appearances { for United States E. W. Reda
Postal Inspector (Name)
for accused self (Name)

(Address)

(Address)

Proceedings taken Defendant informed of Complaint and Warrant, right to remain
(Here insert with dates, when appropriate, a seriatim account of essential steps taken at hearing such as "complaint prepared,"

silent and to retain an attorney, or have one appointed. Right to a
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

Preliminary Hearing and all other rights explained. Preliminary hearing
if that is the fact; any adjournments taken, etc.

Waived. Committed to Summit County Jail, Released 4/13/72.

Outcome Bound over to Federal Grand Jury

Bail fixed 4/7/72, 19 Amount, \$ 2,500.00 Bonded 4/23/72, 19, by cash
deposited by (name) Address
transmitted to clerk of district court (name) B&B Bonding Address 191 S. Main St., Akron, Ohio
(name) Address, who
justified by affidavit dated, 19, [or] committed to Summit County Jail
on, 19

FILED
JUN 7 10 20 AM '72
CLERK U. S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

United States

(Name) _____

(Address) _____

Accused

(Name) _____

(Address) _____

WITNESSES FOR UNITED STATES:

(List names and addresses)

WITNESSES FOR ACCUSED:

(List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this _____ day of _____, 19____

Transmitted to Clerk of United States District Court for the
district of _____, _____

Encl.

1. Appearance Bond

2. Final Commitment

Original Complaint & Warrant not returned.

Northern
June 6, 1972
Ralph W. Hartz
United States Magistrate.

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES <i>vs.</i> JAMES DAVID SCULLEN	<i>For U. S.:</i> Ban Baker <i>For Defendant:</i> Waldo Jones, Sr. (Appt)

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 8-31-72	Clerk				
J.S. 3 mailed 9-30-72	Marshal				
Violation	Docket fee				
Title 18					
Sec. 1708, 495					
Possession of stolen check					
4 cts.					

DATE	PROCEEDINGS
8-25-72	Transcript of proceedings in USDC, Nor. Dist. Ohio, Eastern Division, transferred pursuant to R. 20: Indictment, Proceedings before U. S. Magistrate, Magistrate's final commitment, Appearance bond (\$2500.00), Consent to transfer of case for plea & sentence under Rule 20. g
9-12-72	Def. present in person and rep. by Waldo Jones, Sr., appt. counsel. Def. waives Indictment; waiver signed and filed. Information filed. Def. arraigned and enters plea of GUILTY as to Cts. 1,2,3&4, and adjudged GUILTY as charged in Cts. 1,2,3&4. Def. waives jury; waiver filed. Sentence passed to Tues. Sept. 19, 1972 at 10:00 A.M. Def. remanded to U.S. Marshal. (AEB-J)h
9-19-72	Defendant present in person and rep. by Waldo Jones, Sr. appt. counsel. The govt rep. by Ben F. Baker. Judgment and Sentence- James David Scullen (25) Ct. 1- Atty Gen-2 years pursuant 4208(a)(2) Ct. 2- Prob. 3 yrs Ct. 3- Prob. 3 yrs. Ct. 4- Prob. 3 yrs. (over)

DATE	PROCEEDINGS
9-19-72	It is adjudged that the period of probation in Cts. 3&4 shall run concurrently with period of probation in Ct. 2; and Ct. 2 will begin at the expiration of sentence in Ct. 1. Def. remanded to U.S. Marshal. (AEB-J)h
9-19-72	Order of J&S filed & entered. Two c.c. to USM. Two c.c. to Prob. Office.h
10-20-72	Letter request of Joyce Scullin for reduction of sentence, filed. rm
10-20-72	Letter request of def. for reduction of sentence, filed. rm (See file 72-CR-146 for original letters)
10-20-72	Order overruling request for reduction of sentence. (AEB-J)rm-copies mailed
1-4-73	Marshal's return on service of J&C, filed. Def. delivered to Fed. Cor.Institute, at Seagoville, Texas on 12/1/72. rm